IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

WEDNESDAY, THE 21ST MARCH 2007 / 30TH PHALGUNA 1928

Crl.Rev.Pet.No. 1237 of 2007()

CRA.97/2003 of ADDL. DISTRICT & SESSIONS COURT, (ADHOC III), KOLLAM.
CC.375/1999 of JUDL.MAGISTRATE OF FIRST CLASS-II, KOLLAM

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REVN. PETITIONER:

SHANAVAS, C/O.M.A.GAFOOR AND SONS,
NINE STAR LUCKY CENTRE,CLOCK TOWER
JUNCTION CHINNAKKADA, KOLLAM.

BY ADV. SRI.C.RAJENDRAN

RESPONDENTS:

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1. SREENIVASAN, SIVAPRASADAM HOUSE,
NO.7, THEVALLY NAGAR, KOLLAM.

2. THE STATE OF KERALA REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR – ADV. SHRI.AMJAD ALI

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 21/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R.UDAYABHANU, J.

Crl.R.P. No. 1237 of 2007

Dated, this the 21st day of March, 2007

O R D E R

The revision petitioner stands convicted for the offence under Sec. 138 of the Negotiable Instruments Act and sentenced to undergo simple imprisonment for 10 months and to pay a compensation of Rs. 5,000/- and in default to undergo simple imprisonment for one month. If the fine amount is realised, an amount of Rs.4,000/- shall be given to the complainant as compensation under Sec. 357(3) Cr.P.C.

2. The revision petitioner has sought for modification of sentence and for time to pay the amount of compensation. In the circumstances, the sentence is modified to imprisonment till rising of the Court and to pay an amount of Rs.75,000/- the cheque amounts as compensation vide Sec. 357(3) Cr.P.C and in default to undergo simple imprisonment for three months. The revision petitioner is granted six months time from today onwards to pay the amount of compensation. The revision petitioner shall appear before Judicial First Class Magistrate - II, Kollam on 24/09/2007 to receive sentence.

The Criminal R.P. is disposed of accordingly.

(K.R.UDAYABHANU, JUDGE)

jg